

7. [AMENDED] A method of communicating data in an integrated circuit using internal interconnects, the method comprising:

- receiving a data signal;
- adjusting a first resistance coupled to a first supply voltage, based on a manufacturing process, the first supply voltage and a temperature;
- adjusting a second resistance coupled to a second supply voltage, based on the manufacturing process, the first supply voltage and the temperature; and
- adjusting a third resistance coupled to the second supply voltage, based on the manufacturing process, the first supply voltage and the temperature; and
wherein the first resistance, second resistance and third resistance are each individually adjustable.

REMARKS

Applicant has reviewed and considered the Office Action dated March 14, 2002, and the references cited therewith.

The Detailed Description is amended to more clearly identify a related application. Applicant respectfully submits that the amendment does not introduce new matter. A clean version of the replacement paragraph is included herewith.

Claim 7 is amended and Applicant respectfully submits that support for the amendment is found in the specification, including for example but not by way of limitation, the portions at page 15, line 14 *et seq.* and page 16, line 21 *et seq.* It is believed that no new matter is introduced by the amendment.

Claims 7-16 and 23-25 remain pending in this application.

§102 Rejection of the Claims

Knee

Claims 7 and 23-25 were rejected under 35 USC § 102(b) as being anticipated by Knee et al. (U.S. Patent No. 5,337,254), hereinafter "Knee."

Claim 7

Notwithstanding the amendment of claim 7, Applicant respectfully traverses the rejection and submits that Knee does not teach or suggest all elements recited in the claim. For example, Applicant is unable to find, in Knee, a teaching or suggestion wherein the first resistance, second resistance and third resistance are each individually adjustable, as recited in claim 7.

The office action asserted:

... The claim does not specify the second supply voltage to be at a certain potential. Ground voltage is considered to be at a certain potential. Therefore ground voltage is broadly interpreted as a second supply.

Applicant respectfully traverses and submits that Knee does not teach or suggest “a first supply voltage” and “a second supply voltage.” To anticipate, M.P.E.P. § 2131 provides that the identical invention must be shown in as complete detail as is contained in the ... claim. Here, the identical invention does not appear to be shown in as complete detail as recited in the claim.

In addition, the office action appears to rely on official notice in rejecting claim 7. Applicant respectfully traverses this official notice and requests that the Examiner provide a reference that describes such an element. Absent a reference, it appears that the Examiner is using personal knowledge, and thus, Applicant requests that the Examiner submit an affidavit as required by 37 C.F.R. § 1.104(d)(2).

Reconsideration and allowance of claim 7 is respectfully requested.

Claims 23-25

Applicant respectfully traverses the rejection of dependent claims 23-25. Claims 23-25 are based on independent claim 7. It is believed that claim 7 is allowable, and thus, so too are claims 23-25.

Reconsideration and allowance of claims 23-25 is respectfully requested.

Esch

Claims 8-10, 15 and 16 were rejected under 35 U.S.C. § 102(e) as being anticipated by Esch, Jr. (US 6,118,310), hereinafter “Esch.”

Claim 8

Applicant respectfully submits that Esch does not teach or suggest all elements recited in the claim. For example, Applicant is unable to find, in Esch, a teaching or suggestion of selecting an edge rate as recited in claim 8. On page 7 of the office action, the Examiner acknowledges that “Applicant is correct in that Esch does not specifically written anywhere in the specification concerning edge rate.” Pursuant to M.P.E.P. § 2131, the identical invention must be shown in as complete detail as is contained in the ... claim. Applicant submits that *prima facie* anticipation has not been established because not all elements recited in the claim are taught or suggested by Esch.

Regarding edge rate, the office action asserts that “this feature is inherent in the apparatus of Esch as shown in figure 4, by activating certain transistors (211..229), the edge rage of the driver depends on which transistors are activated.” Applicant is unable to find “transistors 211..229” in figure 4 of Esch. Nevertheless, M.P.E.P. § 2112 provides that in relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. Here, Applicant traverses the rejection and submits that the examiner has not met the burden of establishing inherency. Applicant finds no objective evidence or cogent technical reasoning to support a conclusion of inherency. Applicant submits that matching output impedance is distinguishable from establishing a desired edge rate. M.P.E.P. § 2112 further provides that the fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic.

Reconsideration and allowance of claim 8 is respectfully requested.

Claims 9, 10, 15 and 16

Applicant respectfully traverses the rejection of dependent claims 9, 10, 15 and 16. Claims 9, 10, 15 and 16 are based on independent claim 8. It is believed that claim 8 is allowable, and thus, so too are claims 9, 10, 15 and 16.

As to claim 9, the office action asserted that:

... Esch teaches maintaining a constant output impedance over a wide range of PVT conditions ...
Particularly, Esch's invention provides constant voltage output by varying output impedance. Therefore, the edge rate of the output signal is constant.

Applicant traverses this assertion and reliance on official notice and pursuant to M.P.E.P. § 2144.03, respectfully requests citation to a supporting authority.

Reconsideration and allowance of claims 9, 10, 15 and 16 is respectfully requested.

Allowable Subject Matter

Applicant respectfully submits that claims 11-14 are in condition for allowance without further amendment. It is believed that independent claim 8 is allowable, and thus, so too are dependent claims 11-14.

Reconsideration and allowance of claims 11-14 is respectfully requested.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-373-6911) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,
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Date May 13, 2002

By David W. Black

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this day of May 13, 2002.

PATRICIA A. HULTMAN

Name

Signature